

Control Number APL-EG_10786996

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P/C

FamilyStatus

AllCustodians Roman, Alex
Fischer, Matt
Pulchny, Liz
Robbin, Jeff
Kosmynka, Trystan
Gray, Eric
Thai, Ann
Washburn, Tanya
De Wilde, Geoff
Kirtane, Latika
Van Tassell, Dave
Kim, Timothy
Oliver, Carson
Hawthorne, Amy

Email From

Email To

Email CC

Email BCC

DateSent

TimeSent

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Application

Confidentiality_Rcvd CONFIDENTIAL

Production Vol. APL-EG_084

CX-0202.1

PLAINTIFF
U.S. District Court - NDCA
4:20 cv 05640 YGR TSH
Epic Games, Inc. v Apple Inc.
Ex. No. **CX-0202**
De & Enter ed _____
By _____

Privileged & Confidential

Regroup !

Scheduled: Sep 13, 2021 at 8:00 AM to 9:00 AM, PDT!

Location: Virtual Conference One-Time Room!

Invitees: Trystan Kosmynka, Timothy Kim, Fred Sainz, Sean Dillon, Ann Thai, Sean Cameron, Jen Walsh, Eric Gray, Jason Cody, Geoff De Wilde, Savannah Hahn, Kyle Andeer, Carson Oliver!

3 Options

1. Do nothing but allow the separate payment methods in!
2. Charge an alternative commission but audit!
3. Charge on a different metric (downloads/redownloads) but cuts into a different set of developers than we do today!

- Restructuring the deck - summarizing the options and give basic descriptions (except #3 which will need more detail) and then have an additional considerations section!
- Table view on one-slide!
 - Maybe don't need to show all the answers to !
- Phil's comment about scale is really important - for a Korea pilot, we prob don't have a problem to audit and collect our money; but for other markets that aren't as concentrated, it could be problematic (collecting from 100 vs. collecting from 3,000)!
- Might work fine for Korea in the short-term but how would it scale!
- Option 2 - we would be collecting from all of them!
- Option 3 - subset of Devs we would collect from would be greater than (we control the math)!
- YGR opinion needs to be taken into account; charging for commission - is it fine to do?!
- Would be possible in USA to require that it be possible to be offered alongside?!
- Tolling a commission on direct payments is it explicitly allowed/disallowed? In Korea, we know we can't make IAP optional!
- YGR's decision - are we in a different place? Commission is ok under YGR but decision stated to allow Devs to link out to other payment methods!
- Allowed to be required and to collect a commission but didn't go as far - concerns about further legislative change!
- Tolling against the direct transactions wasn't the intended response!
- Need to explore our opening position and our long-term options!
- Keep business model where it is today and reduce the commission? Doesn't solve numerous other problems!
- Do we use this as an opportunity to reset and use a hybrid model and invest in different ways?!
- Either approach is reasonable in these circumstances!

- Benefits of taking the hit now only if it alleviates the pressure? !
- Side loading component!
 - Fee per transaction model could create more supporters for side loading!
 - Korea and YGR decisions don't focus on side loading!
- Interest in seeing transactor model - fairest way to say we are providing long-term value (active users we are bringing to the platform, etc.)!
- Craig interested in looking at an active transactor model!
- Eddy has concerns on the separate tolling model due to new conflicts it could create!
- Charge customers idea? Could amplify competing app stores if/when side loading occurs!
- **Tasks for Wednesday**
 - Carson to revamp the deck!
 - Working on models to fit the options!
 - Explore explanations regarding the 3rd option!
- **Meeting Schedule**
 - 9/14 - Matt & Jeff meeting!
 - 9/15 - Phil & Eddy meeting!
- Need to address anything product related for changes we need to make for Korea? May be premature because it will be based on what option bubbles to the top!
- Focused on what approach could make the most sense from a legal strategy and then think through the pros and cons from an execution stand point!
- Age verification process for App Store !
- Age verification process needed for video as well!
- Discussion around taking away features didn't get a lot of traction because it seems punitive!
- Can we get a better idea about what seems punitive? !
 - We don't take anything away from free only apps!
- More concerned about fragmented customer experience (would they be confused, etc.?) How does a customer understand it?!
- Important to also define what side loading is!
- App Review still reviewing apps!
- Phil and Eddy not opposed to customer messaging aspect!
- Do we have enough options or are there more options? Need to make sure we looked at all of the SAAS models and crossed them off!
- Charge per value prop rather as a whole? Need to show more work there!
- Want the entry level fee to be low enough but need opportunity/mechanism to allow the business to grow something from a low base into something material!
 - Shopify, Stripe models!
- Current App Store model has everything consumed as a wholistic entity!
 - We are currently aiming to solve for our existing model!